



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

August 26, 2014

Reply To: OCE-084

MEMORANDUM

SUBJECT: RMP Inspection Assessment
BP Cherry Point Refinery
4519 Grandview Road, Blaine, Washington 98230

FROM: Javier Morales, RMP Coordinator
Office of Compliance and Enforcement
Pesticides and Toxics Unit

TO: File

Attached are the RMP Program Level 3 Process Inspection Findings and Alleged Violations Summary and the Risk Management Plan Inspection Findings, Alleged Violations and Proposed Penalty Sheet, for the BP Cherry Point Refinery (EPA ID# 1000 0004 8307) which was inspected on June 10 to 14, 2013.

The following were identified as deficiencies:

1. BP Cherry Point Refinery failed to properly document the assigned qualified person or position that has the overall responsibility for the development, implementation, and integration of the risk management program elements as required in 40 C.F.R. § 68.15(b). BP Cherry Point did not identify Mark Moore and Bob Wallace as the qualified person(s) responsible for the overall RMP in the PSO-1000 and RMP-1200 Policy.
2. BP Cherry Point Refinery's piping and instrumentation diagrams did not identify the pressure gauge in the Vacuum distillation section process as required in 40 C.F.R. § 68.65(d)(1)(ii).
3. BP Cherry Point Refinery did not have material and energy balances for processes built after June 21, 1999 as required in 40 C.F.R. § 68.65(d)(1)(vii). The material balances for the Unit #26-ULSD (#2 DHDS), Unit #27-#3 DHDS, and Unit #45-Isomer did not include the energy balances.
4. BP Cherry Point Refinery emergency shutdown procedures for the #1 Reformer and Naphtha HDS did not include the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown is executed in a safe and timely manner as required in 40 C.F.R. § 68.69(a)(1)(iv).
5. BP Cherry Point Refinery failed to establish and implement written procedures to maintain the on-going integrity of the process equipment listed in 68.73(a), as required in 40 C.F.R. § 68.73(b). BP Cherry Point Refinery was unable to produce written procedures to maintain the on-going integrity of controls, including monitoring devices and sensors, which was previously identified in a 2011 Compliance Audit Report No. 1106, Finding No. 1106-003.

The Adjusted Penalty calculated for the Expedited Settlement Agreement (ESA) is \$4,500. This Adjusted Penalty amount **does not** exceed \$15,000 required for an ESA.

Enclosures: Risk Management Program Inspection Findings and Alleged Violations Summary
Risk Management Program Inspection Findings, Alleged Violations and Proposed
Penalty Sheet
Expedited Settlement Penalty Matrix and Worksheet